

**IN THE UNITED STATE DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA
PLAINTIFF

v.

JOEL A. SMITHERS
DEFENDANT

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CASE NO. : 1:17-CR-027-JPJ-PMS

**MOTION IN LIMINE TO EXCLUDE CHARACTER EVIDENCE OF SIMILAR
ACTS**

Comes Now the Defendant, Joel A. Smithers, by and through counsel and moves this Honorable Court to suppress any evidence of similar acts of the Defendant that may be shown by any witnesses who were defendants, but are not named in the indictment. Such evidence is inadmissible character evidence in accordance with Federal Rule of Evidence 404(b)

Wherefore, the Defendant, prays his motion be granted.

RESPECTUFLLY SUBMITTED

JOEL A. SMITHERS

BY COUNSEL

BY: /s/Don M. Williams, Jr.

DON M. WILLIAMS, JR.
ATTORNEY AT LAW/ATTORNEY FOR DEFENDANT
P. O. BOX 601
PENNINGTON GAP, VA 24277
TEL: 276-546-3087
FAX: 276-546-2642
VSB: 41143
EMAIL: donwilliamsjr@yahoo.com

CERTIFICATE OF SERVICE

I, Don M. Williams, Jr., hereby certify that I have this the 25th day of April, 2019, electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will send notification of such filing to the Assistant United States Attorney.

/s/ Don M. Williams, Jr.

DON M. WILLIAMS, JR.